

**FEIN, SUCH & CRANE, LLP**

***Northern New York Office***

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August 14, 2014

Daniel Webster, Esq.  
Legal Services for the Elderly  
237 Main Street, 10<sup>th</sup> Floor  
Buffalo, New York 14203-2717

Re: HSBC vs. Suitor, et al.  
Index: 150988/2013

Dear Mr. Webster,

Please be advised that my office received your letter dated August 8, 2014 wherein you dispute the additional fees and costs in the amount of \$1,748.00 and a recoverable balance in the amount of \$3,767.59.

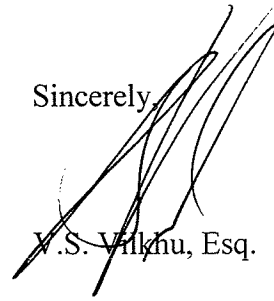
Please be advised that Plaintiff will not waive any of the attorney fees. Please note that a condition of the mortgage contract specified that in case of default, Plaintiff is entitled to legal fees. As you are aware, Defendant indeed defaulted. As a direct result of that default, Plaintiff was compelled to, at a minimum, file a lawsuit, commence a title search, effectuate service and process Defendant's answer. Indeed, a settlement conference would never have been scheduled if Plaintiff had not filed its Request for Judicial Intervention (RJI). The fee breakdown if the \$3,767.59 is as follows:

Litigation Fee:	\$1,332.03
Filing Fee- Notice of Pendency:	\$35.00
Filing Fee- Judicial Intervention:	\$95.00
Court Cost-Purchase of Index Number:	\$400.00
Title Cost-Title Search:	\$520.56
Attorney Fees:	\$875.00
Service Cost:	\$510.00
<b>Total Recoverable Balance:</b>	<b>\$3,767.59</b>

In regards to your argument that you are entitled to fees under Real Property Law 282 I urge you to read the statute before you cite to it. Please be advised that you are only entitled to fees where it has been proven Plaintiff has failed to perform under the mortgage contract. Please identify where Plaintiff has failed to perform under the mortgage contract. The only party who has failed under the mortgage contract is our client. Moreover, please identify which of your filed defenses were meritorious in this action. The fact is none were and thus you as attorney are entitled to nothing.

Thank you for your letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'V.S. Vilku', is written over the word 'Sincerely,'.

V.S. Vilku, Esq.

Cc: Robert B. Gleichenhau, Esq.  
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